

PATENT

Case Docket No. ELITRA.001DV1

Date: November 7, 2003

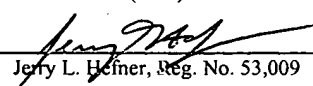
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s) : Zyskind, et al.  
Appl. No. : 09/912,020  
Filed : July 23, 2001  
For : GENES IDENTIFIED AS  
REQUIRED FOR  
PROLIFERATION IN  
ESCHERICHIA COLI  
Examiner : Jon E. Angell  
Group Art Unit : 1635

I hereby certify that this correspondence and all marked attachments are being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on

November 7, 2003

(Date)

  
Jerry L. Hefner, Reg. No. 53,009

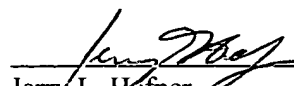
TRANSMITTAL LETTER

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Enclosed for filing in the above-identified application are:

- (X) A Supplemental Information Disclosure Statement.
- (X) A PTO Form 1449 with one (1) reference.
- (X) A check in the amount of \$180 to cover the above fee is enclosed.
- (X) The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment, to Account No. 11-1410.
- (X) Return prepaid postcard.

  
Jerry L. Hefner  
Registration No. 53,009  
Attorney of Record  
Customer No. 20,995  
(619) 235-8550

## SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Applicant : Zyskind, et al.  
App. No. : 09/912,020  
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For : GENES IDENTIFIED AS REQUIRED FOR  
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Examiner : John E. Angell  
Group Art Unit : 1635

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Enclosed is form PTO-1449 listing one (1) reference that is also enclosed. This reference relates in part to the *E. coli* gene *rfaE* (which corresponds to the gene encoding the WaaE polypeptide). Applicants note that the Valvano reference submitted in the IDS mailed July 23, 2001 also relates to the *rfaE* gene.

This Information Disclosure Statement is being filed after the mailing date of a final action under 37 C.F.R. § 1.113. This Statement is accompanied by the fee set forth in 37 C.F.R. § 1.17(p). The Commissioner is hereby authorized to charge any additional fees which may be required or to credit any overpayment to Account No. 11-1410. A certification under 37 C.F.R. § 1.97(e) is set forth below.

CERTIFICATION UNDER 37 C.F.R. § 1.97(e)(2)

I hereby certify that no item of information contained in this Statement was cited in a communication from a foreign Patent Office in a counterpart foreign application, and, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than 3 months prior to the filing of this Information Disclosure Statement.

11/13/2003 MBELETE1 00000090 09912020

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180.00 DP

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: November 7, 2003

By: Jerry L. Hefner  
Jerry L. Hefner  
Registration No. 53,009  
Attorney of Record  
Customer No. 20,995  
(619) 235-8550

FORM PTO-1449

U.S. DEPARTMENT OF COMMERCE  
PATENT AND TRADEMARK OFFICEATTY. DOCKET NO.  
ELITRA.001DV1APPLICATION NO.  
09/912,020SUPPLEMENTAL  
INFORMATION DISCLOSURE STATEMENT  
BY APPLICANTAPPLICANT  
Zyskind, et al.FILING DATE  
July 23, 2001GROUP  
1635

USE SEVERAL SHEETS IF NECESSARY)

## U.S. PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE (IF APPROPRIATE)

## FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
						YES	NO

EXAMINER INITIAL	OTHER DOCUMENTS (INCLUDING AUTHOR, TITLE, DATE, PERTINENT PAGES, ETC.)	
	1	Gerdès, et al. 2003. Experimental determination and system level analysis of essential genes in <i>Escherichia coli</i> MG1655. <i>Journal of Bacteriology</i> , 185(19):5673-5684. [with supplemental data]

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110603

EXAMINER	DATE CONSIDERED
*EXAMINER: INITIAL IF CITATION CONSIDERED, WHETHER OR NOT CITATION IS IN CONFORMANCE WITH MPEP 609; DRAW LINE THROUGH CITATION IF NOT IN CONFORMANCE AND NOT CONSIDERED, INCLUDE COPY OF THIS FORM WITH NEXT COMMUNICATION TO APPLICANT.	